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District of Nevada
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5 *Counsel for the United States*

6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

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9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 JOHAN EDUARDO ESPINOZA-FELIX,

13 Defendant.

2:18-cr-00068-RFB-CWH

Stipulation to Continue the Filing of
Trial Documents (First Request)

14
15 IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE
16 ELIESON, United States Attorney, Brandon C. Jaroch, Assistant United States Attorney,
17 counsel for the United States of America, and Tony Abbatangelo, Esq., counsel for
18 JOHAN EDUARDO ESPINOZA-FELIX:

19 THAT THE PARTIES' DEADLINE TO SUBMIT TRIAL DOCUMENTS IN
20 THIS MATTER, currently scheduled for December 7, 2018, be continued until December
21 11, 2018.

22 This Stipulation is entered into for the following reasons:
23

1 1. The defense counsel has a scheduled meeting with the defendant at the
2 Nevada Southern Detention Center in Pahrump, NV, on December 7, 2018 to discuss the
3 trial and negotiations made with the government and will need additional time to file trial
4 documents.

5 2. The parties have been diligently discussing the case to potentially limit trial
6 or evidentiary issues during trial.

7 3. The parties do not foresee this brief continuance to have an impact on the
8 current trial setting but acknowledge that a stipulation to continue the calendar call and
9 trial may occur.

10 4. The parties agree to the continuance.

11 5. The denial of this request for continuance could result in a miscarriage of
12 justice.

13 6. This is the first request to continue the filing deadline.

14
15 Dated this the 7th day of December, 2018.

16 Respectfully Submitted,

17 DAYLE ELIESON
18 United States Attorney

19 /s/ Brandon C. Jaroch
20 BRANDON C. JAROCH
21 Assistant United States Attorney

22 /s/ Tony Abbatangelo
23 TONY ABBATANGELO
24 Counsel for ESPINOZA-FELIX

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 UNITED STATES OF AMERICA,

2:18-cr-00068-RFB-CWH

5 Plaintiff,

ORDER

6 vs.

7 JOHAN EDUARDO ESPINOZA-FELIX,

8 Defendant.
9

10 FINDINGS OF FACT

11 Based on the pending Stipulation of Counsel, and good cause appearing therefore,
12 the Court finds that:

13 1. The defense counsel has a scheduled meeting with the defendant at the
14 Nevada Southern Detention Center in Pahrump, NV, on December 7, 2018 to discuss the
15 trial and negotiations made with the government and will need additional time to file trial
16 documents.

17 2. The parties have been diligently discussing the case to potentially limit trial
18 or evidentiary issues during trial.

19 3. The parties do not foresee this brief continuance to have an impact on the
20 current trial setting but acknowledge that a stipulation to continue the calendar call and
21 trial may occur.

22 4. The parties agree to the continuance.
23
24

5. The denial of this request for continuance could result in a miscarriage of justice.

6. This is the first request to continue the filing deadline.

CONCLUSIONS OF LAW

The ends of justice would be served by granting said continuance since failure to grant said continuance would likely result in a miscarriage of justice and would deny the parties herein sufficient time and opportunity to effectively and thoroughly file the trial documents, taking into account the exercise of due diligence.

ORDER

IT IS ORDERED that the parties' deadline to file trial documents, currently scheduled for December 7, 2018, is vacated and continued to December 11, 2018.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED: December 10, 2018.

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